

By 

S.J.R. No. 6

SENATE JOINT RESOLUTION

proposing an amendment to Section 2,
Article VIII, Constitution of the State
of Texas, to provide that nonprofit water
supply corporations are exempt from taxation.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2, Article VIII, Constitution of the State of Texas, be amended to read as follows:

"Section 2. All occupation taxes shall be equal and uniform upon the same class of subjects within the limits of the authority levying the tax; but the legislature may, by general laws, exempt from taxation public property used for public purposes; all real and personal property owned by a nonprofit water supply corporation which is reasonably necessary for, and is used in, operation of the corporation for any of its authorized purposes; actual places or (of) religious worship, also any property owned by a church or by a strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, and which yields no revenue whatever to such church or religious society; provided that such exemption shall not extend to more property than is reasonably necessary for a dwelling place and in no event more than one acre of land; places of burial not held for private or corporate profit; all buildings used exclusively and owned by persons or associations of persons for school purposes and the necessary furniture of all schools and property used exclusively and reasonably necessary in conducting any association engaged in promoting the religious, educational and physical development of boys, girls, young men or young women operating under a State or National organization of like character; also the endowment funds of such institutions of learning and religion not used with a view to profit; and when the same are invested in bonds or mortgages, or in land or other property which has been and shall hereafter be bought in by such institutions under foreclosure sales made to satisfy or protect such bonds or mortgages, that such exemption of such land and property shall continue only for two years after the purchase of the same at such sale by such institutions and no longer, and institutions of purely public charity; and all laws exempting property from taxation other than the property above mentioned shall be null and void."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1970, at which election all ballots shall have printed on them the following:

"FOR the constitutional amendment to exempt nonprofit water supply corporations from taxation."

1 "AGAINST the constitutional amendment to exempt nonprofit
2 water supply corporations from taxation."

3 Sec. 3. The Governor of the State of Texas shall issue the
4 necessary proclamation for the election, and this amendment shall
5 be published in the manner and for the length of time required by
6 the Constitution and laws of this state.
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Austin, Texas

Feb 12, 1969

Hon. Ben Barnes
President of the Senate

Sir:

We, your Committee on Constitutional Amendments,
to which was referred SJR No. 6, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.

Chinters
Chairman

CAS

Amend SJRB by striking
out the following language in Section 1
of the SJRB:

[for any of its authorized purposes]

and substitute in lieu of thereof
the following:

"[in the acquisition, storage,
transportation and sale of water
~~by this Corporation~~ as authorized
as its ~~legal~~ sale legal
purpose"]

by [signature]

ADOPTED

FEB 13 1969

Charles Schwab
SECRETARY OF SENATE

A JOINT RESOLUTION

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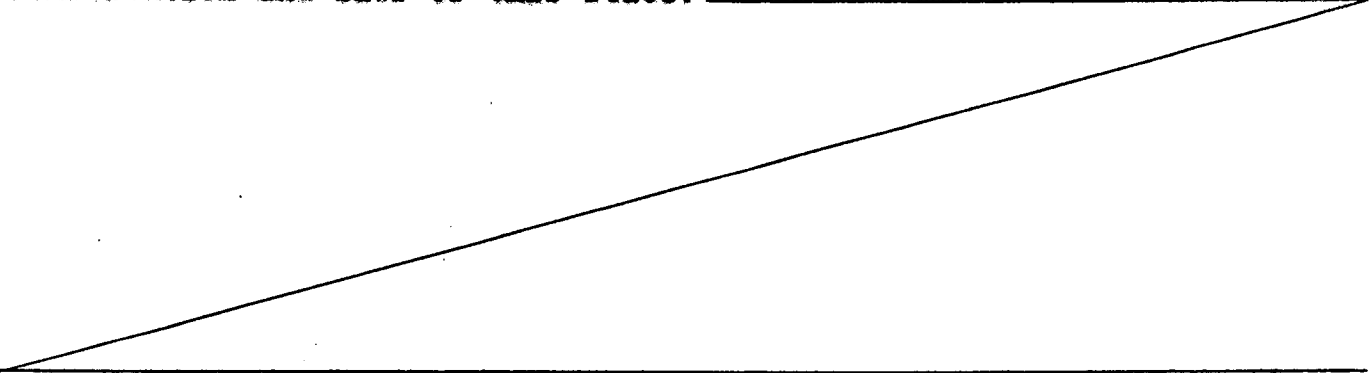
national organization of like character; also the endowment funds of such institutions of learning and religion not used with a view to profit; and when the same are invested in bonds or mortgages, or in land or other property which has been and shall hereafter be bought in by such institutions under foreclosure sales made to satisfy or protect such bonds or mortgages, that such exemption of such land and property shall continue only for two years after the purchase of the same at such sale by such institutions and no longer, and institutions of purely public charity; and all laws exempting property from taxation other than the property above mentioned shall be null and void." _____

Sec. 2. The foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1970, at which election all ballots shall have printed on them the following: _____

"FOR the Constitutional amendment to exempt nonprofit water supply corporations from taxation."; and _____

"AGAINST the Constitutional amendment to exempt nonprofit water supply corporations from taxation." _____

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time required by the Constitution and laws of this state. _____



(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date 4-15

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on CONST AMEND, to whom was

referred STR No. 6, have had the same under consideration

and beg to report back with recommendation that it ^{do} ~~not~~ pass, and be NOT printed

John C. Sawyer
Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.)

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

BILL ANALYSIS

Background information:

Presently, nonprofit water supply corporations are not exempt from taxation. However, this method can be a much simpler way of getting into the water business than by setting up a water district. It is the intention of this resolution to include only those corporate structures not making a profit.

Purpose of the resolution:

S.J.R 6 provides that nonprofit water supply corporations are exempt from taxation.

Section by section analysis:

Section 1: Amends Art. VIII, Sect. 2 by adding the words "all real and personal property owned by a nonprofit water supply corporation which is reasonably necessary for, and is used in, operation of the corporation in the acquisition, storage, transportation and sale of water as authorized as its sole legal purpose" to the list of exemptions.

Section 2: Submits this to a vote in November 1970.

Section 3: Provides for issuance of necessary proclamation.

Summary of Committee hearing:

SJR 6 was reported back to the House with the recommendation that it do pass and be not printed.

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page 2

By SA Hor

Amend S.S.R. 6, first printing, & by
deleting "November, ~~1970~~ 1970" on
line 3 page 2 and substituting therefor
"August, 1969".

APR 16 1969

DATE

READ AND ADOPTED

Dorothy Hallman

CHIEF CLERK
HOUSE OF REPRESENTATIVES

To the Honorable John Traeger
Committee on Constitutional Amendments

Ref: _____

Sir:

We, your sub-committee to whom was referred SJR 6, have had the same under consideration and beg to report back with the recommendation that it do ~~(not)~~ pass ~~(as amended)~~ and be (not) printed. (Committee ~~substitute is to be printed in lieu of the original bill.~~)

Respectfully submitted,

Robert
Thompson
James R. North

A JOINT RESOLUTION

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national organization of like character; also the endowment funds of such institutions of learning and religion not used with a view to profit; and when the same are invested in bonds or mortgages, or in land or other property which has been and shall hereafter be bought in by such institutions under foreclosure sales made to satisfy or protect such bonds or mortgages, that such exemption of such land and property shall continue only for two years after the purchase of the same at such sale by such institutions and no longer, and institutions of purely public charity; and all laws exempting property from taxation other than the property above mentioned shall be null and void."

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"FOR the Constitutional amendment to exempt nonprofit water supply corporations from taxation."; and

"AGAINST the Constitutional amendment to exempt nonprofit water supply corporations from taxation."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time required by the Constitution and laws of this state.

S. J. R. No. 6

Lieutenant Governor

Speaker of the House

I hereby certify that S. J. R. No. 6 passed the Senate on February 13, 1969, by the following vote: Yeas 28, Nays 0; April 16, 1969, Senate concurred in House amendment, by the following vote: Yeas 25, Nays 1.

Secretary of the Senate

I hereby certify that S. J. R. No. 6 was passed by the House on April 16, 1969, with amendment, by the following vote: Yeas 129, Nays 13.

Chief Clerk of the House

Approved:

4-17-69

Date

Signed

Governor

FILED IN THE OFFICE OF THE
CLERK OF THE HOUSE

4:30 pm 60100X

APR 17 1969

Secretary of State

By: Watson

S. J. R. No. 6

A JOINT RESOLUTION

Proposing an amendment to Section 2, Article VIII, Constitution of the State of Texas, to provide that nonprofit water supply corporations are exempt from taxation.

- 1-29-69 Filed with the Secretary of the Senate.
- 1-29-69 Read first time and referred to Committee on Constitutional Amendments.
- 2-12-69 Reported favorably.
- 2-13-69 Regular order of business and Senate Rule 110 and Sec. 5, Art. III of the Constitution suspended by vote of 28 Yeas, 0 Nays, to permit consideration.
- 2-13-69 Read second time, amended, and ordered engrossed by a vote of 28 Yeas, 0 Nays.
- 2-13-69 Senate Rule 30 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 28 Yeas, 0 Nays, to place bill on third reading and final passage.
- 2-13-69 Read third time and passed by the following vote: Yeas 28, Nays 0.

Charles Schnabel, Secretary of the Senate

2-13-69 Engrossed.

Essie McGinnis

ENGROSSING CLERK

FEB 17 1969

SENT TO HOUSE
FEB 17 1969 Received from the Senate.

Dorothy Hallman

Chief Clerk, House of Representatives

READ 1st TIME
AND REFERRED TO COMMITTEE ON
Constitutional Amendment

FEB 18 1969

Dorothy Hallman
Chief Clerk, House of Representatives

APR 15 1969 REPORTED FAVORABLY
ORDERED NOT PRINTED

PRINTED, DISTRIBUTED AND
REFERRED TO COMMITTEE ON
RULES 11:30 P APR 15 1969

APR 16 1969
Read Second Time *amended* and passed to
third reading by vote of *129 yeas, 13 nays*
Dorothy Hallman
Chief Clerk, House of Representatives

APR 16 1969
House consent granted to amend
caption of House Bill No. 6 to
conform to body of bill.

Dorothy Hallman
Chief Clerk, House of Representatives

APR 16 1969 RETURNED TO SENATE

APR 16 1969
RETURNED FROM HOUSE
with amendment

APR 16 1969
Senate concurred in House amend-
ments by the following vote: 25
yeas, 1 nays.

S.J.R. No. 6 By Watson

SENATE JOINT RESOLUTION

proposing an amendment to Section 2, Article VIII, Constitution of the State of Texas, to provide that non-profit water supply corporations are exempt from taxation.

JAN 29 1969
*Filed with the Secretary
of the Senate.*

JAN 29 1969 Read first time
and referred to Committee
on Constitutional Amendments

FEB 12 1969 Reported Favorably.

FEB 13 1969

Regular order of business and Senate Rule 110 and Sec. 5, Art. III of the Constitution suspended by vote of 28 yeas, 0 nays, to permit consideration.

FEB 13 1969

READ SECOND TIME, *amended*,
AND ORDERED ENGROSSED *by vote of*
28 yeas, 0 nays. *1*

FEB 13 1969

Senate Rule 30 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 28 yeas, 0 nays, to place bill on third reading and final passage.

FEB 13 1969

READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:

Yeas 28 Nays 0

Charles Schnabel
Secretary of the Senate

2-13-1969 Engrossed
Essie McGinnis
Engrossing Clerk